

HOUSE STANDING COMMITTEE ON EDUCATION

Wednesday, August 24, 2005

10:30 a.m.

307 House Office Building

Representative Brian Palmer, Chair, called the meeting to order.

MEMBERS PRESENT: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Elsenheimer, Hildenbrand, Pearce, Proos, Hopgood, Miller, Angerer, Virgil Smith, Kehrl and Clack.

MEMBERS ABSENT: Representative Lemmons, III.

Representative Meyer moved to approve the minutes of the July 13, 2005 meeting.

Representative Hoogendyk supported the motion.

There being no objection, the motion prevailed by unanimous consent.

The Chair laid SB 129, SB 601, SB 609, and SB 611 before the committee.

SB 129	Sanborn	Criminal procedure; probation; individual convicted of child sexual assault; prohibit from residing within 1 mile of a school or entering upon school property as condition of probation, and provide minimum term of probation.
SB 601	Van Woerkom	Education; school districts; criminal background checks on all school personnel; require and prohibit persons convicted of certain offenses from being allowed to work in schools.
SB 609	Kuipers	Education; teachers; teacher tenure act protection for teachers convicted of certain crimes; restrict.
SB 611	Allen	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of school employee failing to report conviction for listed offense; enact.

Representative Elsenheimer moved to adopt substitute (H-1) to SB 601.

Representative Angerer supported the motion.

The motion prevailed by a vote of 12-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Meyer, Hoogendyk, Vander Veen, Elsenheimer, Hildenbrand, Hopgood, Miller, Angerer, Kehrl and Clack,

Nays: None,

Pass: None.

Representative Meyer moved to adopt substitute (H-1) to SB 609.

Representative Hildenbrand supported the motion.

The motion prevailed by a vote of 12-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Meyer, Hoogendyk, Vander Veen, Elsenheimer, Hildenbrand, Hopgood, Miller, Angerer, Kehrl and Clack,

Nays: None,

Pass: None.

Representative Hoogendyk moved to adopt substitute (H-1) to SB 611.

Representative Mortimer supported the motion.

The motion prevailed by a vote of 12-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Meyer, Hoogendyk, Vander Veen, Elsenheimer, Hildenbrand, Hopgood, Miller, Angerer, Kehrl and Clack,

Nays: None,

Pass: None.

Peter Longley, representing Senator Sanborn's Office, testified in support of SB 129.

Jeff Cobb, representing Senator Van Woerkom's Office, testified in support of SB 601.

Jeremy Hendges, representing Senator Allen's Office, testified in support of SB 611.

Don Cooper, Republican Policy Staff, explained changes in the bills and answered questions from members.

Paul Stankewitz, representing the Michigan Catholic Conference, submitted a card in support of the bills, but did not wish to speak.

David Newman, representing the Department of Corrections, submitted a card indicating a neutral position on SB 129 and SB 611, but did not wish to speak.

Representative Mortimer moved to adopt substitute (H-1) to SB 129.

Representative Hildenbrand supported the motion.

The motion prevailed by a vote of 13-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Meyer, Hoogendyk, Vander Veen, Elsenheimer, Hildenbrand, Pearce, Hopgood, Miller, Angerer, Kehrl and Clack,

Nays: None,

Pass: None.

Representative Elsenheimer offered the following amendments to SB 129 (H-1):

1. Amend page 4, line 20, after "(11)" by striking out the balance of the line and inserting "**THE COURT MAY EXEMPT AN INDIVIDUAL FROM PROBATION UNDER SUBSECTION (5) IF ANY OF THE FOLLOWING APPLY:**".
2. Amend page 4, line 21, after "(A)" by striking out "AN INDIVIDUAL WHO IS" and inserting "**THE INDIVIDUAL WAS**".
3. Amend page 5, line 7, after "(B)" by striking out "AN INDIVIDUAL WHO" and inserting "**THE INDIVIDUAL**".
4. Amend page 5, line 22, after "(C)" by striking out "AN INDIVIDUAL WHO" and inserting "**THE INDIVIDUAL**".
5. Amend page 5, line 26, after "(D)" by striking out "AN INDIVIDUAL" and inserting "**THE INDIVIDUAL WAS**".
6. Amend page 6, line 1, after "**750.520E,**" by striking out "WHO" and inserting "AND".
7. Amend page 6, line 3, after "AND" by striking out "WHO".

Representative Elsenheimer moved to adopt the amendments.

Representative Meyer supported the motion.

The motion prevailed by a vote of 14-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Meyer, Hoogendyk, Vander Veen, Elsenheimer, Hildenbrand, Pearce, Proos, Hopgood, Miller, Angerer, Kehrl and Clack,
Nays: None,
Pass: None.

The committee went at ease at 11:30 a.m.

The committee reconvened at 11:50 a.m.

Representative Gosselin moved to report SB 129 as a substitute (H-3) with recommendation.

Representative Proos supported the motion.

The motion prevailed by a vote of 16-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Hopgood, Miller, Angerer, Kehrl and Clack,
Nays: None,
Pass: None.

SB 129 (H-3) reported out with recommendation.

Representative Hoogendyk moved to report SB 601 (H-1) with recommendation.

Representative Gosselin supported the motion.

The motion prevailed by a vote of 17-0-1.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Wenke, Ball, Elsenheimer, Hildenbrand, Pearce, Proos, Hopgood, Miller, Angerer, Virgil Smith, Kehrl and Clack,

Nays: None,

Pass: Representative Vander Veen.

SB 601 (H-1) reported out with recommendation.

Representative Wenke moved to report SB 609 (H-1) with recommendation.

Representative Mortimer supported the motion.

The motion prevailed by a vote of 17-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Hopgood, Miller, Angerer, Virgil Smith, Kehrl and Clack,

Nays: None,

Pass: None.

SB 609 (H-1) reported out with recommendation.

Representative Mortimer moved to report SB 611 (H-1) with recommendation.

Representative Gosselin supported the motion.

The motion prevailed by a vote of 18-0-0.

FAVORABLE ROLL CALL:

Yeas: Representatives Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Elsenheimer, Hildenbrand, Pearce, Proos, Hopgood, Miller, Angerer, Virgil Smith, Kehrl and Clack,

Nays: None,

Pass: None.

SB 611 (H-1) reported out with recommendation.

With no further business to come before the committee, the Chair adjourned the meeting, the time being 11:55 a.m.

Representative Brian Palmer, Chair

Ben Cook
Committee Clerk
August 24, 2005
1 hour 5 minutes

Date Approved and Signed